

Dora V. Lane, Esq. (NV Bar No. 8424)
R. Calder Huntington, Esq. (NV Bar No. 11996)
Holland & Hart LLP
9555 Hillwood Drive, 2nd Floor
Las Vegas, Nevada 89134
(702) 669-4600
(702) 669-4650 – fax
dlane@hollandhart.com
rchuntington@hollandhart.com

Attorneys for Defendant

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JAZMIN ARELLANO, Individually

Plaintiff,

vs.

GIORGIO ARMANI CORPORATION, a
Foreign Corporation,

Defendant.

Case No. : 2:14-cv-02152-JAD-NJK

**STIPULATION AND ORDER
EXTENDING DISCOVERY PLAN AND
SCHEDULING ORDER DEADLINES**

(FIRST REQUEST)

STIPULATION

Plaintiff Jazmin Arellano (“Plaintiff”) and Defendant Giorgio Armani Corporation (“Defendant”), by and through their respective counsel of record, hereby submit this stipulation that the Discovery Plan and Scheduling Order deadlines in this case be extended. This is the parties’ first request for an extension of these deadlines. The parties provide the following information to the Court in conjunction with their request for an extension of the discovery deadlines, to demonstrate that there is good cause for the requested extension.

A. DISCOVERY THAT HAS BEEN COMPLETED

1. Initial Disclosures by both parties.
2. Both parties have served Interrogatories and Requests for Production of Documents. Defendant served its responses on August 12, 2015. Plaintiff’s responses to Defendant’s First Set of Interrogatories and First and Second Sets of Requests for Production of Documents are due on August 28, 2015.

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Reno, Nevada 89511

3. Defendant has served approximately fifteen Subpoenas Duces Tecum to third-parties.

B. DISCOVERY THAT REMAINS TO BE COMPLETED

1. Additional written discovery.

2. Defendant presently intends to take the deposition of Plaintiff, Joel Silberberg, and Martin Fakiel, M.D. ("Dr. Fakiel"); Plaintiff presently intends to take the depositions of Lieung Zhou, Gabriel Oliva, Judy Ku, Melissa Rivera, Spencer Alexander, and Karen Perez.

3. The physical and/or mental examination of Plaintiff under FRCP 35.

4. The forensic examination of Plaintiff's e-mail accounts, electronic devices, and cloud storage accounts.

5. Initial expert and rebuttal expert disclosures, and expert witness depositions.

6. Other depositions may become necessary depending on the evidence obtained through other discovery and depositions.

C. REASONS WHY THE REMAINING DISCOVERY WAS NOT COMPLETED WITHIN THE TIME LIMITS SET BY THE DISCOVERY PLAN

1. Defendant has been unable to obtain the documents requested pursuant to its Subpoena Duces Tecum to Dr. Fakiel, a psychiatrist who has treated Plaintiff, despite numerous efforts and promises that the requested documents would be forthcoming. Defendant will shortly be filing a Motion to Hold Dr. Fakiel in Contempt for Failure to Respond to the Subpoena, but until it obtains the documents requested, will be unable to complete Plaintiff's deposition or conduct Plaintiff's examination under FRCP 35.

2. Plaintiff has indicated that whether Plaintiff will stipulate to allow her examination under FRCP 35, or whether Defendant will be required to file a Motion to Allow the Examination of Plaintiff Under FRCP 35, is dependent on Plaintiff's receipt and review of the records requested by Defendant pursuant to its Subpoena Duces Tecum to Dr. Fakiel. If Defendant is required to file a Motion to Allow the Examination of Plaintiff Under FRCP 35, the scheduling of the examination will be delayed until a ruling on Defendant's Motion is received.

3. Expert disclosures are presently due on September 21, 2015; however, Defendant's expert will be unable to complete its expert report without the documents requested pursuant to the Subpoena Duces Tecum to Dr. Fakiel.

4. During the Early Neutral Evaluation session held on August 14, 2015, additional information came to light that the parties will need to investigate and consider during discovery.

5. The Early Neutral Evaluation session did not occur until August 14, 2015, and while the parties were diligently conducting discovery prior to the Early Neutral Evaluation session, they also sought to minimize the incurrence of significant attorneys' fees prior to the Early Neutral Evaluation session.

D. PROPOSED SCHEDULE FOR COMPLETING REMAINING DISCOVERY

1. The deadline for the parties to complete all remaining discovery shall be extended from November 18, 2015 to **February 16, 2016**.

2. The deadline to make initial expert disclosures shall be extended from September 21, 2015 to **December 21, 2015**. The deadline to disclose any rebuttal experts shall be extended from October 21, 2015 to **January 20, 2016**. The requirements of FRCP 26(a)(2)(B) shall apply to any such disclosures.

3. The deadline to file dispositive motions shall be extended from December 18, 2015 to **March 17, 2016**.

4. The deadline to file any motions in limine, including Daubert-type motions, shall remain thirty (30) days prior to the commencement of trial, and oppositions shall be filed and served fourteen (14) days thereafter. Reply briefs will only be allowed with leave of the Court.

5. The deadline to file the Joint Pretrial Order (including Rule 26(a)(3) disclosures) shall be extended from January 19, 2016 to **April 18, 2016**. However, in the event that dispositive motions are filed, the date for filing the Joint Pretrial Order shall be suspended until thirty (30) days after a decision on the dispositive motions or further order of the Court.

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6. In accordance with LR 26-3, the deadline for the parties to file an interim status report shall be **December 18, 2015**.

DATED this 20th day of August, 2015.

DATED this 20th day of August, 2015.

/s/ Daniel Marks
Daniel Marks, Esq.
Nevada Bar No. 2003
LAW OFFICES OF DANIEL MARKS
610 South Ninth Street
Las Vegas, Nevada 89101
Telephone (702) 386-6812

/s/ Dora V. Lane
Dora V. Lane, Esq.
Nevada Bar No. 8424
R. Calder Huntington, Esq.
Nevada Bar No. 11996
Holland & Hart LLP
9555 Hillwood Drive, Second Floor
Las Vegas, Nevada 89134
Telephone: (702) 669-4600

Attorneys for Plaintiff
Jazmin Arellano

Attorneys for Defendant
Giorgio Armani Corporation

ORDER

IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

DATED: August 20, 2015

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Holland & Hart LLP
5441 Kietzke Lane, Second Floor
Reno, Nevada 89511